

REMARKS

This Amendment addresses the issues outstanding from the final Office Action of October 1, 2007. Applicants respectfully request favorable reconsideration of this application, as amended.

As a preliminary matter, and as will be discussed below in greater detail with regard to the alleged indefiniteness rejections, Applicants decline to automatically subscribe to any of the Office Action's definitions or characterizations (e.g., on pages 3 or 6).

Claims 26-35 are pending, with Claim 26 being the sole independent claim. By this Amendment, and without acceding to the rejections, Claim 26 has been amended to recite certain distinctive features of Applicants' invention with greater particularity and to overcome the alleged indefiniteness rejection. Also without acceding to the alleged indefiniteness rejection, Claim 28 has been amended to more particularly recite certain distinctive features of Applicants' invention. Support for the changes to Claim 26 can be found in Applicants' Substitute Specification at, for example, page 10, lines 17-20, and support for the changes to Claim 28 can be found at page 17, lines 3-10, for example. Claims 1-25 were previously cancelled without prejudice or disclaimer.

In the outstanding Office Action, Claims 26-35 were rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite; and Claims 26-35 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Turek in view of Jung and Anerousis.

Regarding the alleged indefiniteness of Claim 26, Claim 26 now recites "a plurality of indicator agents each configured to evaluate an indicator comprising a

value characterizing a status or an operation of one or more resources of the computer system and an indicator-defining equation for calculating said value.” Applicants respectfully note that the Substitute Specification clearly discloses, for example, that an “indicator designates both the value characterizing the status or the operation of a set of equipment to be monitored, and the equation that makes it possible to calculate this value.” *See* Substitute Specification filed June 8, 2006. Thus, indicators as recited in Claim 26 are not representative of only scalars, but, also, include, for example, both a value characterizing a status or an operation of a set of equipment to be monitored and an indicator-defining equation that makes it possible to calculate the value. Accordingly, amended Claim 26 particularly points out and distinctly claims the subject matter recited therein. Withdrawal of the rejection is respectfully requested.

As to the alleged indefiniteness of Claim 28, as now set forth therein, “the second object class “I_Indicator” associated with the indicator agents that evaluate the indicator, said second object class “I_Indicator” being configured to identify indicator agents.” Applicants respectfully request that the rejection be withdrawn.

Turning to the art-based rejections, without acceding thereto, independent Claim 26 has been amended to recite certain distinctive features of Applicants’ invention with greater particularity, as noted above. For example, as now set forth in Claim 26, the deployment device includes, *inter alia*, writing means associated with each indicator agent, each writing means being configured to write in an associated subscriber list, upon receiving a subscription notification from at least one other indicator agent, an identification and management information of the at least one other indicator agent, and the subscriber list is managed by the associated indicator

agent and stored using storage means of the resource associated with the indicator agent. It is apparent that the collective disclosures of the applied references fail to teach or suggest at least the aforementioned features. Moreover, the aforementioned features are not inherently disclosed in the applied references.

The Office Action appropriately acknowledges, at page 8, that Turek fails to disclose the features discussed above and does not allege that Anerousis discloses the features of Claim 26. However, the Office Action alleges that Jung cures Turek's deficiencies. The cited portions of Jung disclose cells 52 that include a control mechanism 55 and a local object database which stores attributes specific to the associated cell. *See* Jung, col. 1, lines 15-20; col. 7, lines 1-19. The object data can include simple constants 56, primitive operations 58, other attributes of the cell 60, or attributes of one or more observed cell 62, and the control mechanism 55 propagates changes in the attributes of a cell to other cells that observe that cell. *Id.*, col. 7, lines 10-13, 24-31. In contrast to Claim 26, the propagation of changes from one cell to other cells by Jung's control mechanism does not constitute, either expressly or inherently, a teaching or suggestion of a subscription notification from at least one other cell. Therefore, Jung fails to teach or suggest that writing means associated with each indicator agent are configured to write in an associated subscriber list, upon receiving a subscription notification from at least one other indicator agent, an identification and management information of the at least one other indicator agent, as recited in Claim 26.


As noted above, Anerousis fails to cure the above-noted deficiencies of Turek and Jung, nor has the Office Action relied on Anerousis for such teachings.

Accordingly, Claim 26 and its dependent claims are believed to distinguish patentably from the applied references.

In view of the foregoing, a prompt Notice of Allowance is respectfully solicited. However, should the Examiner believe that any further action is necessary to place this application in better form for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (T2147-906756) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

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